



**Jurisdiction and Venue**

4. The District Court has original jurisdiction over this action pursuant to 28 U.S.C. §1331 (federal question) and §1338(a) (action arising under any Act of Congress relating to patents and copyrights).

5. This Court has personal jurisdiction over Ardisam. Ardisam has its principal place of business located in this District and carries on continuous and systematic business in this District. Venue in this District as to Ardisam is proper under 28 U.S.C. § 1400(b) and/or 28 U.S.C. § 1391(b) and (c) in that Ardisam conducted business in this District, caused damage and injury in this District, and is subject to personal jurisdiction in this District. Jurisdiction as to Ardisam is proper pursuant to Wis. Stat. § 801.05(1) and/or Wis. Stat. § 801.05(3) and/or Wis. Stat. § 801.05(4).

**Background Facts**

6. Feldmann started in 1947 near Plymouth, Wisconsin as a sole proprietorship. The business was incorporated in 1968. During the course of its existence, Feldmann has produced a variety of products, including ice augers, running gears of farm wagons, farm bale elevators, rotary garden tillers, and snowmobiles.

7. Feldmann has become a leader in the ice auger industry, providing various ice auger products including power ice augers. For over 50 years, Feldmann has sold power ice augers and currently sells power ice augers under its Jiffy® mark. Feldmann continuously improves its power ice augers by improving ice cutting technology and making improvements in safe use and ease of handling. The '188 patent is directed to various features of Feldmann's



8. Feldmann restates and incorporates by reference the allegations in paragraphs 1 through 7 above.

9. Ardisam manufactures, offers to sell, and/or sells propane power augers that infringe the '188 patent in violation of 35 U.S.C. § 271(a), including products shown below, which Ardisam sells under its “Eskimo” brand.



10. Upon information and belief, Ardisam continues to sell its infringing products.

11. Upon information and belief, Ardisam has been and is willfully infringing the '188 patent.

12. Upon information and belief, Ardisam will continue to infringe the '188 patent unless and until it is enjoined by a court.

13. Ardisam's infringement has caused and continues to cause irreparable harm to Feldmann, including, but not limited to, infringing upon Feldmann's rights in the '188 patent.

14. Feldmann has been damaged by Ardisam's infringement of the '188 patent.

15. Ardisam's conduct shows a lack of the required duty to avoid infringement of the '188 patent such that this is an exceptional case; therefore, Feldmann should be awarded its reasonable attorneys' fees pursuant to 35 U.S.C. § 285.

16. Pursuant to 35 U.S.C. § 284, Feldmann is entitled to enhanced damages for infringement of the '188 patent, up to treble damages.

17. Pursuant to 35 U.S.C. § 283, Feldmann is entitled to a preliminary and permanent injunction against further infringement of the '188 patent.

